



PSYCHOLOGY BOARD DEMYSTIFIED

a message from the chair

Jane E. Perrin, Ph.D.

“So, what did you guys do for two days?” a friend recently asked me over lunch after I’d attended a Psychology Board meeting. As we talked, it became clear that she imagined that we spent the majority of our time reviewing ethics cases. In fact, we have not had a disciplinary hearing in several meetings. Because of the diligent work of our Board attorney, Ms. Sondra Panico, many complaints that warrant Board action are settled informally by consent orders. These settlements typically involve sanctions that have been agreed to by Ms. Panico and the licensee and his/her attorney, and have been approved by the Board’s Consent Committee, which consists of two Board members. Usually, the full Board learns of proposed consent orders at the following meeting.

Certainly, an important function of the Board involves making decisions about alleged ethics violations. However, the Board’s activities go far beyond this. Because our actions have an impact on licensees’ practices, I think an overview of some of our recent activities may be valuable for licensees to know.

Ask any member of the Board what we do, and I bet their first answer would be, “Review applications for licensure.” Before each Board meeting, a staff member and a Board member or the staff investigator examines each application that arrives in the Board office. In fiscal year 2010-2011, the Board office processed 219 licensure applications. Speaking for myself, I take on average one half hour to peruse an application. Board members identify concerns in approximately one fourth of the applications that they are assigned. If appropriate, they may correspond with applicants or others to clarify issues. Applications that are determined to contain potential issues are presented and discussed at length at the following Board meeting. Issues we have considered vary, from how to weigh an applicant’s prior criminal record, to whether a non-APA accredited program fulfills requirements under Board rule for psychology licensure, to how to respond to inconsistencies in an applicant’s account of his or her professional history. Board members are mindful of the requirements of the Psychology Practice Act and Board rules, but many issues fall into grey areas. We take into account the statute and associated rules, our past judgments in similar cases, protection of the public, and often, simple common sense, in reaching our ruling. Most of the Board hearings in 2011 involved licensure applicants who were appealing Board decisions to deny licensure.

I’ve become sensitive to the importance of careful scrutiny of applicants because they literally are the future of the practice of psychology in North Carolina. The screening process that occurs when the Board receives an application for licensure is often the most contact the Board has with a prospective licensee. The Board’s close examination of the applicant’s qualifications is intended to safeguard the public’s right to protection from unqualified or harmful practice and to maintain the quality and integrity of the psychology profession in our state.

Similarly, in almost every meeting, we discuss reports submitted to the Board about unlicensed individuals who appear to be practicing psychology. The Board examines the individual’s advertising and other communications, his or her response to questions by the staff investigator, and his or her efforts to alter their practice. As in the case of licensure applications, the Board is often faced with complex scenarios which require considerable thought and discussion. If necessary, the Board may direct its attorney to seek an injunction in Superior Court to prevent violations of the Psychology Practice Act.

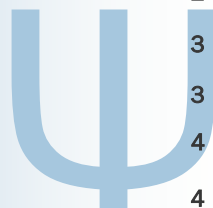
Almost invariably, the Board devotes meeting time to consider requests for opinions from the Governor’s office, state psychology associations, licensees and other parties. The Board cannot lobby for legislation, but our input on policy matters is often sought. Over the past year, we have been asked for our stance on issues ranging from the licensure of behavior analysts, to alteration of the title of provisional psychologists in order for them to be eligible for insurance reimbursement, to the Board’s jurisdiction over parenting coordinators.

Especially since 2010, long range planning has consumed much of our Board meetings. Prompted in part by the retirement of two key staff members, we have examined the Board’s emerging needs in terms of finances, staffing, and even the location of the Board office. These issues are interrelated and of vital importance to the future of psychology in North Carolina.

The Psychology Board’s meetings involve discussion, debate, and compromise about diverse matters that affect all of us. I hope that the result is the preservation of our profession’s respected status and the protection of the public in North Carolina.

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Welcome New Board Members

Robert Hill, Ph.D and Jeffery Lorence, M.A were appointed to serve on the Board in 2011.



Robert Hill, Ph.D., ABPP

After completing my undergraduate degree at Duke University, I worked three jobs for a year to save money and then traveled overseas to Europe, the Middle East, and Africa for 15 months. That was a terrific opportunity to have some adventure and engage the world outside of the academic world. Subsequently, I attended graduate school at Michigan State University, and then pursued an academic career and have been on the faculty in the Department of Psychology at Appalachian State University since 1992, including eight years as Director of the Graduate Clinical Health Program. I teach courses in psychotherapy and assessment at the graduate level, and often teach a course in abnormal psychology for undergraduates. I conduct a research program, and for some years have investigated perfectionism and related personality features, mentoring the completion of over 25 master's theses. I have a long standing interest in clinical training and supervision. In 2008, I achieved certification by the American Board of Professional Psychology, which required a helpful presentation of professional and ethical materials. I have consulted privately with a number of agencies over the past 20 years providing clinical services and supervision, and I have a small private practice in Boone.

I am married with two children, who are adolescents in high school and who have provided me with a rewarding and challenging role in life. I attend many athletic events to watch my daughter and son on the soccer field or the volleyball court, and manage one of their traveling soccer teams. I run with a large dog 15-20 miles a week to keep him in shape and get myself out of my office. I also enjoy riding a motorcycle through the beautiful rural countryside of the North Carolina mountains.

I am honored to have been appointed to serve on the North Carolina Psychology Board, and see this as an opportunity to gain knowledge of professional and ethical practice concerns. I anticipate that this experience will strengthen my ability to contribute to clinical training, and that my experience with graduate training and clinical practice may sometimes benefit the Psychology Board. After attending two Board meetings thus far, I am most impressed by the hard work and long schedule that Board members often contribute. On my first day, the Board met from 9 am to 7:30 pm, and then files were passed out for members to review before the next day's Board meeting beginning at 8:30 am! Board members are genuinely dedicated to protecting the public and ensuring the integrity of practice, which benefits all of us as a profession.



Jeff Lorence, M.A

I have been a psychologist in North Carolina since 1995. I started my education, training and career practicing in Chicago. I have a master's degree in clinical psychology from the Illinois School of Professional Psychology. I initially wanted to become a psychologist due to a longstanding interest in people and what makes them behave in certain manners and a desire to have a positive impact on the lives of others in a service oriented way. I have been in private practice for the past ten years or so after six years of practice at the Behavioral Health Center in Charlotte, North Carolina. I worked in children's residential treatment and as a consultant in schools for various human service agencies, and now in private practice where my area of clinical practice is primarily psychological testing and evaluation.

My areas of interest are bariatric pre-surgical psychological evaluation, and psychological and psycho-educational testing and assessment. I live with my family in Charlotte and enjoy various forms of exercise, travel and leisure activities.

My initial interest in serving on the Board stemmed from my desire to participate in something other than direct practice in a way that would allow me to be involved in decisions regarding professional practice in the state. I was hopeful I could use my skills as an examiner, clinician and fellow psychologist to ensure appropriate standards of practice are met and adherence is maintained for all psychologists practicing throughout the state of North Carolina. Serving on the Board is an extensive learning process, but, to me, a very important one.

The biggest surprise to me during my initial foray as a Board Member the past few months was how conscientious, considerate, and committed the Psychology Board members and staff are to protecting the public, reviewing new applications for psychologists wanting to obtain licenses, and how important a role they play in impacting the practice of psychology in North Carolina. The Board and staff are truly a wonderful group of people with diverse experiences who have tremendous knowledge and understanding of the issues involved in the practice of psychology. It is an admirable group of which I am proud and honored to be a part, and I look forward to continue serving as a Board member.

The Board looks forward to the fresh perspectives that its newest members bring and would like to thank both Dr. Hill and Mr. Lorence for their willingness to donate their time to serve as Board Members!

Farewell to Wilma Ragan

Effective December 31, 2011, Wilma Ragan, Office Assistant for the Board, retired after 16 years of dedicated service to the Board. While not everyone may recognize Ms. Ragan's name, most who have called the Board office over the past 16 years can recall her gentle voice on the other end of the telephone. The Board received numerous positive comments over the years regarding Ms. Ragan's helpfulness and respectful manner. Her calm demeanor proved to be exceptionally helpful to applicants concerned and anxious when they began the application process.



Ms. Ragan's energy and enthusiasm for her job were always very evident to everyone. When asked which of her numerous job tasks she enjoyed the most, Ms. Ragan responded that her favorite task was assisting applicants and helping them to complete their applications. Ms. Ragan was always willing to go the extra mile to assist callers, and once licensed, many individuals called or sent thank you cards to the Board praising Ms. Ragan for her help. In fact, many licensees often first contacted Ms. Ragan when they needed assistance, even if it was regarding a Board matter that she did not directly handle.

After working since she was 18 years old, Ms. Ragan struggled with the decision to retire for many months. Never one to remain idle, she was concerned that she would not have enough to do and would be bored. However, as an active member of Deerfield United Methodist Church, Ms. Ragan fills her free time by participating in bazaars, bake sales, ham suppers, volunteer trips, and other events at the church. In the fall of 2011, Ms. Ragan, took a "vacation" to the North Carolina Coast where she spent her time helping with cleaning and re-building houses that were damaged by Hurricane Irene. She has also volunteered with various organizations in the community, including the United Way, the American Heart Association, March of Dimes, and Santa's Toy Box.

The Board appreciates Ms. Ragan's dedication and commitment to her job. She always provided the Board with nothing but her best, and the Board wishes her the same as she begins her retirement. It was a privilege for both staff and Board members to work with Ms. Ragan over the years, and her presence in the office is greatly missed.

LEGAL PROCEEDINGS

During the period of time from November 1, 2011, through March 31, 2012, the Board reviewed and closed 10 investigative cases involving psychologists in which it found either no evidence of probable cause of a violation or insufficient evidence to issue a statement of charges, and reviewed and closed 1 case involving a non-psychologist. Further, it issued remedial action in 1 case and took the following action:

Jack P. Burrows, M.A. - FINAL DECISION was approved on November 14, 2011. Respondent's conduct constitutes violations of N.C. Gen. Stat. §§ 90-270.15(a)(7), (a)(10), and (a)(22) of the North Carolina Psychology Practice Act, and 21 N.C.A.C. 54 .2104(m) of the North Carolina Psychology Board rules. Respondent's license is **SUSPENDED INDEFINITELY**. He must meet specified conditions in order to have the suspension lifted, may not engage in activities which constitute the practice of psychology until such time as the suspension is lifted, and remit \$300.00 in costs.

James P. Clemens, M.A. - FINAL DECISION was approved on November 14, 2011. Respondent's conduct constitutes violations of N.C. Gen. Stat. §§ 90-270.15(a)(7), (a)(10), and (a)(22) of the North Carolina Psychology Practice Act, and 21 N.C.A.C. 54 .2104(m) of the North Carolina Psychology Board rules. Respondent's license is **REPRIMANDED**. He must successfully complete tutorials, complete twice the amount of required Category A continuing education hours between October 1, 2010 and October 1, 2012, submit proper documentation establishing that he has completed all of the required continuing education hours along with his renewal application for the next two renewal cycles, and remit \$300.00 in costs.

Rules Updates

In the October, 2010 issue of psychNEWS the Board published proposed rule changes to 21 NCAC 54 .2001 Supervisor and .2104 Continuing Education. As a result of the numerous written comments received and the feedback from the December 1-2, 2010 rule making hearing, the Board is currently reviewing and working to make additional changes to these rules. The Board appreciates the meaningful and detailed responses regarding the proposed rule changes as well as the input from individuals who appeared in person at the hearing to present their comments to the Board. The Board will consider those comments carefully when and if changes are made to the rules. Updates, when available, regarding the status of the proposed rule changes will be published online on the Board's website and in the Board's newsletter.

On December 1, 2011, changes to Rule. 1605 Fees became effective. To view the full text of this update please click [here](#) or visit the NC Psychology Board's website at www.ncpsychologyboard.org and click on the "Rules Title 21 Chapter 54" link located on the sidebar. A separate window will open and you may search or scroll through the listed rules.

FREQUENTLY ASKED QUESTIONS

Does a continuing education activity have to include the words “ethical and legal” in the title in order to be accepted by the Board towards meeting the three hour ethical/legal requirement under Category A?

While there is no requirement that the title of an ethical and/or legal continuing education activity contain the words “ethical and legal,” if it is unclear from the activity’s title whether or not the program covered ethical and/or legal issues, a licensee must maintain and submit additional information to document such content. The documentation must reflect the total number of continuing education hours that the individual earned for the activity. The same is true of conferences, such that if a licensee submits a certificate for a 12-hour conference, during which he/she completed three hours of ethical and/or legal continuing education, documentation must be submitted from the sponsor of the sessions attended and must indicate the number of contact hours awarded for each session. The Board will not accept a continuing education course that does not specify the number of hours awarded in ethical or legal issues to meet the completion of the three hour CE ethical/legal requirement. Additionally, bear in mind that to count for completion of the ethical/legal requirement, the activity must meet the Category A continuing education criteria.

I am a forensic psychologist and am currently working on a case in which the court has entered a Protective Order. The Order provides that all protected records must either be returned to the U.S. Federal Facility or destroyed within 60 days of the conclusion of the proceedings. I am concerned because this court order appears to be in conflict with the North Carolina statute. Does this Court Order constitute a circumstance “beyond the psychologist’s control?”

The first step is to review **G.S. § 90-270.15(a)(18)**, which addresses this issue:

(18) Except when prevented from doing so by circumstances beyond the psychologist’s control, has failed to retain securely and confidentially the complete case record for at least seven years from the date of the last provision of psychological services; or, except when prevented from doing so by circumstances beyond the psychologist’s control, has failed to retain securely and confidentially the complete case record for three years from the date of the attainment of majority age by the patient or client or for at least seven years from the date of the last provision of psychological services, whichever is longer; or, except when prevented from doing so by circumstances beyond the psychologist’s control, has failed to retain securely and confidentially the complete case record indefinitely if there are pending legal or ethical matters or if there is any other compelling circumstance;

The requirements set forth in G.S. § 90-270.15(a)(18) provide for what is required under the North Carolina Psychology Practice Act of all psychologists. The Board is not in a position to provide any licensee with legal advice about how to handle the directives in a court order, so you may wish to consult with your own attorney regarding this matter. You also may wish to let the attorneys and/or judge (but not without notifying the attorneys) involved in the matter know of the requirements under the Psychology Practice Act to maintain records of services provided to see what type of modifications may be made in the Order with regard to your maintenance of the records.

A WORD OF CAUTION:

Please be protective of your electronic devices that can easily be picked up, especially if those devices contain or provide access to client confidential information. Hand-held electronic devices are convenient and popular, but bring with them potential negative consequences, if stolen or used by anyone other than you. There would, for example, certainly be significant complications if such a device contained both your personal and professional information, and was taken by a client of your psychological services. Ethical Standard 4.01 states that “psychologists have a primary obligation and take reasonable precautions to protect confidential information obtained or stored in any medium . . .” With regard to maintaining patient records and confidentiality, N.C. Gen. Stat. § 90-270.15(a)(18) requires that psychologists retain case records “securely and confidentiality.” Therefore, you should, if you have not already done so, establish a practice of protecting confidential information, including such information that can be accessed through your electronic hand-held devices.

UPCOMING BOARD MEETINGS

April 25-27, 2012

July 18-20, 2012

October 10-12, 2012



MEMBERS

Jane E. Perrin, Ph.D., *Licensed Psychologist, Chair*
J. Anthony Powell, M.A., *Licensed Psychological Associate, Vice Chair*
John T. Esse, Ph.D., *Licensed Psychologist*
Robert W. Hill, Ph.D., *Licensed Psychologist*
Sarah Lynn-Sells Lambert, *Public Member*
Jeffrey M. Lorence, M.A., *Licensed Psychological Associate*
Maria M. Velazquez-Constas, M.Ed., *Public Member*

STAFF

Martha N. Storie, *Executive Director*
Susan C. Batts, M.A., *Staff Psychologist*
Debbie Hartley, *Administrative Officer*
Rebecca Osborne, *Communication Specialist*
Sondra C. Panico, *Assistant Attorney General and Counsel to the Board*

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